



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JAN 10 2017,

Mr. Enrique Castro
Project Coordinator
Tierra Solutions, Inc.
Two Tower Center Boulevard, 10th Floor
East Brunswick, New Jersey 08816

Re: Administrative Settlement Agreement and Order on Consent for Combined Sewer
Overflow/Storm Water Outfall Investigation, CERCLA Docket No. 02-2011-2016

Dear Mr. Castro:

As explained in my October 20, 2016 letter, Tierra Solutions, Inc. (Tierra), on behalf of Occidental Chemical Corporation (Occidental), performed Phase I of the Combined Sewer Overflow/Storm Water Outfall (CSO-SWO) Investigation, as described in the Quality Assurance Project Plan, Revision 3, dated September 2013. Based on the information collected during Phase I and taking into account the level of effort required to complete Phase I, as well as the analyses by EPA to support selection of a remedy for the lower 8.3 miles of the Lower Passaic River, EPA has determined that the second phase of work under the above referenced Settlement Agreement (CERCLA Docket No. 02-2011-2016) need not proceed.

Pursuant to Section XXX of the above referenced Settlement Agreement, EPA is notifying Tierra and Occidental that the work required by the Settlement Agreement has been fully performed in accordance with the Settlement Agreement, and the Settlement Agreement is hereby terminated. However, Tierra and Occidental shall not be relieved of any continuing obligations required by the Settlement Agreement, including, but not limited to, payment of Future Response Costs pursuant to Paragraph 91 and record retention pursuant to Section XIV.

Please let me know if you have any questions at 212-637-4427.

Sincerely yours,

A handwritten signature in black ink that reads "Alice Yeh".

Alice Yeh
Remedial Project Manager
Emergency and Remedial Response Division

cc: J. Somoano, Glenn Springs Holdings/Occidental Chemical Corporation